REMARKS

The Office Action dated October 5, 2006 has been fully considered by the Applicant.

Enclosed is a Petition for Three-Month Extension of Time and a check in the amount of $1020 for payment of the extension fee.

Claims 1, 5-6, 11 and 12 are currently amended. Claims 2-3, and 7-10 have been previously presented. Claim 4 has been canceled.

Claims 1-12 have been rejected under 35 USC 102(e) as being anticipated by United States Patent No. 6,445,738 to Zdepski et al. Reconsideration of the rejection is respectfully requested.

Currently amended independent claim 1 is directed toward a method for generating and processing data for the display of a stream of video data comprising the steps of processing a motion picture expert group compliant data stream of video data selected to be viewed by a user in a first format via the apparatus, the video data having frames defined in different categories with the largest frames known as "I" frames. The next step is generating an altered format for the video data. Then a user selects to view the video data in the altered format. Thereafter is the step of identifying a required level of data to be held in a buffer memory in the apparatus prior to decoding a first frame of the video data for the alternative format wherein the required buffer memory size is set at a level so as to substantially accommodate data for a single "I" frame. Applicant sincerely believes that currently amended claim 1 is novel over the '738 Zdepski et al patent and respectfully requests reconsideration of the rejection.

There is no disclosure or suggestion in the '738 Zdepski et al patent of setting the memory buffer level to a different size during an altered format, i.e, a trick mode, as in Applicant's invention. The '738 Zdepski et al patent appears to use a conventional method of setting the memory buffer

level. As described on page 11, lines 54-57, frames are grouped together in a stack and not by a single "I" frame, as in Applicant's invention. It is easy to see that grouping multiple frames within a stack requires a higher buffer level than for a single frame, as taught in Applicant's invention. Therefore, Applicant sincerely believes that currently amended claim 1 is novel over the '738 Zdepski et al patent and respectfully requests reconsideration of the rejection.

Further, in conventional systems, the memory buffer level required to be reached before decoding begins is set by multiplying the delay data for each frame (relating to the length of the time that the frame should spend in the buffer before being decoded) by the bitrate. The delay data and bitrate are obtained from the header. However, during trick mode operation, the use of the header data is prevented to allow MPEG compliance, and so there is no option other than to use the same memory buffer level as above. When trick mode is selected or stopped, a delay is incurred as the buffer is filled or emptied. However, the memory buffer level conventionally set is typically much larger than actually required for optimum operation of the trick mode, and so the delays incurred by switching between normal and trick modes are unacceptably long.

Applicant solves this problem by setting the memory buffer level to approximately the size of a single "I" frame. As such, the memory buffer level reached before decoding and display begins is lower, and the delays incurred by switching between normal and trick modes are thus significantly lower. As described on Pages 5-6 in Applicant's specification, the size of a single "I" frame may be estimated from the quantized time stamp data. Clearly these features are not taught or suggested in the '738 Zdepski et al patent and, therefore, Applicant believes currently independent claim 1, along with dependent claims 2-10, is novel over the cited reference.

Independent claim 11 has been currently amended to provide a method of generating a video display in a first standard motion picture expert group format and a second user selectable fast forward or fast cue format comprising the steps of obtaining a value indicative of the separation of received encoded frames in the video data bitstream upon user selection of the fast forward or fast cue format, and then using the value as a replacement value to indicate a required level of data to be held in a buffer memory device prior to the commencement of the decoding. The required level of data is substantially the size of the single largest frame in the video data bitstream, and thereafter displaying the first frame of data for the fast forward or fast cue display.

As set forth above with respect to claim 1, these features are not taught or suggested in the '738 Zdepski et al patent. Therefore, Applicant believes that currently amended claim 11, along with dependent claim 12, is novel over the '738 patent and respectfully requests reconsideration of the rejection.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is requested. If any further fees are associated with this action, please charge Deposit Account No. 08-1500.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

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BY: _____
Mark G. Kachigian, Reg. No. 32,840
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant